

IN THE DRAWINGS

The attached sheets of drawing include changes to Figs. 1, 6, and 9. Figures 1 and 6 are amended to remove the additional arrows “A” and “B” (originally located near labels 35 and 31, respectively.) Figure 9 is amended to include the label “302” designating the first glass platen.

Attachment: 3 Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 6-19 and 22-61 are pending in this case. Claims 7-11, 16, 17, 23-27, 32, 33, 56, and 57 are withdrawn. Claims 1-3, 6, 7, 19, 22, 23, 35, and 36 are amended, Claims 4, 5, 20, and 21 are canceled without prejudice or disclaimer, and new Claims 58-61 are added by the present amendment. Amended Claims 1-3, 6, 7, 19, 22, 23, 35, and 36 and new Claims 58-61 are supported by the original claims and specification,¹ and therefore add no new matter.

In the outstanding Office Action, the drawings were objected to for failing to comply with 37 C.F.R. §1.84(p)(5) and 1.84(p)(4). The title was objected to as not descriptive. The specification was objected to for informalities. Claim 1 was objected to for an informality. Claims 1-4, 13, 19, 20, 29, 35, and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakajima et al. (Japanese Patent Application No. JP 2002-040821, herein "Nakajima") in view of Tomita (U.S. Patent Application Publication No. 20010051057). Claims 12, 18, 28, and 34 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakajima in view of Tomita and further in view of Nakashima et al. (U.S. Patent Application Publication No. 20020159801, herein "Nakashima"). Claims 14 and 30 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakajima in view of Tomita and further in view of Omata et al. (U.S. Patent Application Publication No. 20020090236, herein "Omata"). However, Claims 5, 6, 15, 21, 22, and 31 were objected to as dependent on a rejected base claim, but otherwise were indicated as including allowable subject matter if re-written in independent form.

Claims 37-55 were allowed.

¹See, e.g., Specification at page 39, lines 14-24.

Applicants gratefully acknowledge the allowance of Claims 37-55 and the indication that Claims 5, 6, 15, 21, 22, and 31 include allowable subject matter.

With regard to the objection to the drawings, the specification is amended eliminate references to 5M, 5C, and 5K, add references to labels "354" and "P0," and change the designation on page 24 of members "A" and "B" to members "C" and "D." Figure 9 is amended to include the label "302" designating the first glass platen. Figures 1 and 6 are amended to remove the additional arrows "A" and "B" (originally located near labels 35 and 31, respectively.) No new matter is added. Accordingly, the objection to the drawings is believed to be overcome.

With regard to the objection to the title, the title is amended to recite "IMAGE FORMING APPARATUS CONFIGURED FOR DOUBLE SIDED PRINTING." Accordingly, the objection to the title is believed to be overcome.

With regard to the objection to the specification, the specification is amended to correct informalities. Accordingly, the objection to the specification is believed to be overcome.

With regard to the objection to Claim 1, Claims 1 and 2 are amended to correct an informality. Accordingly, the objection to Claim 1 is believed to be overcome.

With regard to the rejection of Claim 1 as unpatentable over Nakajima in view of Tomita, the rejection is respectfully traversed.

Amended independent Claim 1 recites "wherein a heating temperature of said heating means is higher than a melting point or a softening point of an image forming agent, which forms the first toner image and the second toner image, by 10° C to 30° C."

In contrast, Tomita describes a toner having a maximum melting point of 70° C being fixed at a minimum temperature of 110° C.² As the minimum temperature difference

²See Tomita, paragraph 72 and page 7, Table 2.

between these parameters is 40° C, it is respectfully submitted that Tomita does not teach or suggest a heating temperature of said heating means is higher than a melting point or a softening point of an image forming agent, which forms the first toner image and the second toner image by *10° C to 30° C*, as recited in amended Claim 1. As neither Nakajima nor Tomita teaches or suggests this element of amended Claim 1, Claim 1 is believed to be patentable over Nakajima in view of Tomita.

Amended Claims 2, 35, and 36 and new Claims 60 and 61 recite similar elements to Claim 1. Accordingly, Claims 2, 35, 36, 60 and 61 are believed to be patentable for at least the reasons discussed above with respect to Claim 1.

Amended Claim 3 incorporates the subject matter of original Claims 4 and 5 by including the structure of the heating means recited in original Claim 4 and deleting the recitation of the heating means. As Claim 5 was indicated as containing allowable subject matter, amended Claim 3 (and Claims 6-18 dependent therefrom) is believed to be patentable.

Amended Claim 19 incorporates the subject matter of original Claims 20 and 21 by including the structure of the heating means recited in original Claim 20 and deleting the recitation of the heating means. As Claim 21 was indicated as containing allowable subject matter, amended Claim 19 (and Claims 22-34 dependent therefrom) is believed to be patentable.

New Claim 58 includes the subject matter of original Claims 3 and 15. As Claim 15 was indicated as containing allowable subject matter, new Claim 58 is believed to be patentable.

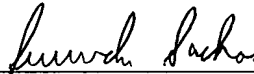
New Claim 59 includes the subject matter of original Claims 19 and 31. As Claim 31 was indicated as containing allowable subject matter, new Claim 59 is believed to be patentable.

Withdrawn Claims 7-11, 16, and 17 depend from generic Claim 3, which is believed to be patentable as discussed above. Accordingly, the rejoinder and allowance of Claims 7-11, 16, and 17 is respectfully requested. Withdrawn Claims 23-27, 32, and 33 depend from generic Claim 19, which is also believed to be patentable as discussed above. Accordingly, the rejoinder and allowance of Claims 23-27, 32, and 33 is also respectfully requested.

Accordingly, the pending claims and the present application are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)